

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

**JOY MM DELAWARE, INC. and
JOY TECHNOLOGIES INC.,**

Plaintiffs,

Civil Case No. 2:06-CV-262

vs.

**SANDVIK MINING AND CONSTRUCTION
USA LLC,**

Defendant.

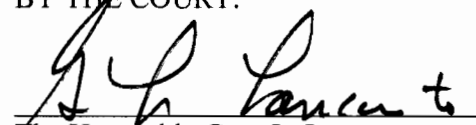
~~XXXXXX~~ **ORDER OF COMPROMISE AND DISMISSAL**

Upon the Stipulated Motion to Dismiss with Prejudice the Claims and Counterclaims Asserted Against One Another filed by Plaintiffs/Counter-defendants Joy MM Delaware, Inc. and Joy Technologies, Inc. (collectively, "Joy") and Defendant/Counter-plaintiff Sandvik Mining and Construction USA LLC ("Sandvik"), it appears to the Court that Joy and Sandvik have compromised and settled all claims and counterclaims asserted between them and agree that all claims and counterclaims between them in this lawsuit should be dismissed with prejudice.

It is accordingly, ORDERED that Joy's claims against Sandvik and Sandvik's counterclaims against Joy in this case be and hereby are dismissed with prejudice. The Court finds that there is no just reason for delay, and pursuant to Fed. R. Civ. P. 54(b) directs entry of final judgment with regard to these claims.

Dated this 17 day of March, 2008.

BY THE COURT:


The Honorable Gary L. Lancaster
U.S. District Court Judge